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APPLICATION N	NO. F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
08/978,634		11/25/1997	ELAZAR RABBANI	ENZ-53(DIV-2	4640	
28171	7590	07/11/2006		EXAMINER		
	BIOCHEM, DISON AVE	INC. NUE (9TH FLOOR)				
	ORK, NY 1			ART UNIT	PAPER NUMBER	

DATE MAILED: 07/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Non-Compliant Amendment (37 CFR 1.121)

Applica	ation No.	Applicant(s)	
08/978	3,634	RABBANI ET AI	
Examir	ner	Art Unit	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 21 April 2006 is considered non-compliant because it has failed to meet the req item

	uirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following n(s) is required.
THE	FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT: 1. Amendments to the specification: A. Amended paragraph(s) do not include markings. B. New paragraph(s) should not be underlined. C. Other
	2. Abstract:A. Not presented on a separate sheet. 37 CFR 1.72.B. Other
	 3. Amendments to the drawings: A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d). B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required. C. Other
	 4. Amendments to the claims: A. A complete listing of all of the claims is not present. B. The listing of claims does not include the text of all pending claims (including withdrawn claims) C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended). D. The claims of this amendment paper have not been presented in ascending numerical order. E. Other: See attached sheet.
	5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):
For	further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.
TIM	IE PERIODS FOR FILING A REPLY TO THIS NOTICE:
1.	Applicant is given no new time period if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire corrected amendment must be resubmitted.
2.	Applicant is given one month , or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a <i>Quayle</i> action. If any of above boxes 1, to 4, are checked, the correction required is only the corrected section of the

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

non-compliant amendment in compliance with 37 CFR 1.121.

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

Telephone No.

Application/Control Number: 08/978,634

Art Unit: 1635

Response to Amendment

The amendment filed on 21 April 2006 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because applicants have canceled elected subject matter drawn to "receptor binding protein", which was elected in the response entered 6 January 2003. Because the claim was found to be not allowable, the nonelected species are withdrawn in accordance with MPEP 803.02. Because applicants have since canceled the elected subject matter such that the remaining claims read only on nonelected subject matter, the instant response is considered to be nonresponsive.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. D. Schultz, Ph.D. whose telephone number is 571-272-0763. The examiner can normally be reached on 8:00-4:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Paras can be reached on 571-272-4517. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JDS

JAMES SCHULTZ, PH.D.